

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63159 of 2025**

Arising Out of PS. Case No.-33 Year-2025 Thana- BIRUPUR District- Lakhisarai

1. Sadanand Saw S/O Late Ramdes Saw R/O Village- Mahramchak, P.S.- Birupur, Dist.- Lakhisarai
2. Dilchand Kumar S/O Sadanand Saw R/O Village- Mahramchak, P.S.- Birupur, Dist.- Lakhisarai
3. Gautam Kumar SW/O Sadanand Saw R/O Village- Mahramchak, P.S.- Birupur, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                     |   |                            |
|---------------------|---|----------------------------|
| For the Petitioners | : | Mr. Rabi Bhushan, Advocate |
| For the State       | : | Mr. Satya Nand Shukla, APP |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      15-09-2025                      Heard learned counsel appearing on behalf of the  
petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 117 and 109 of the B.N.S..

3. As per prosecution case, it is alleged by the informant, namely Vimla Devi, that all the F.I.R. named accused persons, including these petitioners, arrived at the *Bathan* of the informant on 26.05.2025 at about 3 PM and started removing the asbestos shed. When the informant's husband objected, all the accused persons assaulted him by means of iron rod and



other deadly weapons due to which he sustained head injury and fell down.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, on account of land dispute, *maar-peet* took place between the parties in which both sides sustained injuries. There is case and counter-case. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. There is no injury report on record to substantiate the allegations levelled in the F.I.R.. Petitioner No. 1 has got one criminal antecedent in which he is already on bail and Petitioner Nos. 2 and 3 claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and case and counter-case between the parties, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1<sup>st</sup> Class, Lakhisarai in connection with Birupur P.S. Case No. 33 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

**(Prabhat Kumar Singh, J)**

shashank/-

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